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REFERENCE TITLE: **gun-free zones; liability**

State of Arizona
House of Representatives
Forty-sixth Legislature
First Regular Session
2003

HB 2320

Introduced by
Representatives Graf, Gray C, Johnson, Pearce, Hanson, Barnes, Farnsworth:
Hart, Konopnicki, Nichols

AN ACT

AMENDING TITLE 13, CHAPTER 31, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-3117; RELATING TO WEAPONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 13, chapter 31, Arizona Revised Statutes, is amended
3 by adding section 13-3117, to read:

4 13-3117. Gun-free zones; liability; definitions

5 A. THIS STATE OR ANY AGENCY OR POLITICAL SUBDIVISION OF THIS STATE OR
6 ANY PERSON, ORGANIZATION OR ENTITY THAT ESTABLISHES A GUN-FREE ZONE IS LIABLE
7 FOR DAMAGES THAT RESULT FROM CRIMINAL CONDUCT THAT OCCURS AGAINST AN
8 INDIVIDUAL IN THE GUN-FREE ZONE IF A REASONABLE PERSON WOULD BELIEVE THAT
9 POSSESSION OF A FIREARM COULD HAVE HELPED THE INDIVIDUAL DEFEND AGAINST THE
10 CRIMINAL CONDUCT. IF THE CRIMINAL CONDUCT WAS THE RESULT OF TERRORISM OR
11 ADVERSELY AFFECTED A CHILD UNDER SIXTEEN YEARS OF AGE OR A PERSON SEVENTY
12 YEARS OF AGE OR OLDER, THIS STATE OR ANY AGENCY OR POLITICAL SUBDIVISION OF
13 THIS STATE OR ANY PERSON, ORGANIZATION OR ENTITY THAT ESTABLISHES A GUN-FREE
14 ZONE IS LIABLE FOR TREBLE DAMAGES.

15 B. FOR THE PURPOSES OF THIS SECTION:

16 1. "CRIMINAL CONDUCT" INCLUDES OFFENSES LISTED IN CHAPTERS 11, 12, 13,
17 14, 15, 17, 19, 25 AND 29 OF THIS TITLE.

18 2. "GUN-FREE ZONE" MEANS ANY BUILDING, PLACE, AREA OR CURTILAGE OR IN
19 OR ON ANY CONVEYANCE IN WHICH A PERSON'S RIGHT OR ABILITY TO POSSESS A
20 FIREARM IS INFRINGED, RESTRICTED OR DIMINISHED IN ANY WAY BY STATUTE, POLICY,
21 RULE, REGULATION, ORDINANCE, UTTERANCE OR POSTED SIGN.